



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/583,948

10/20/2006

Alain Horvais

BJS-960-49

1461

23117 7590 02/17/2009
NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

EXAMINER

BERTAGNA, ANGELA MARIE

ART UNIT

PAPER NUMBER

1637

MAIL DATE

DELIVERY MODE

02/17/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|--------------------------|--------------------------------------|---------------------------------------|--|
| Interview Summary | Application No. 10/583,948 | Applicant(s) HORVAIS ET AL. | |
| | Examiner ANGELA BERTAGNA | Art Unit 1637 | |

All participants (applicant, applicant's representative, PTO personnel):

(1) Angela Bertagna. (3) ____.

(2) B.J. Sadoff (Applicant's Rep). (4) ____.

Date of Interview: 09 February 2009.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: ____.

Claim(s) discussed: ____.

Identification of prior art discussed: ____.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: We discussed whether or not the restriction requirement issued on June 12, 2008 should have been made final and combined with an action on the merits. The Examiner agreed to consult with her supervisor about the propriety of this action. Upon consultation with her supervisor, the Examiner informed Mr. Sadoff via a voicemail message that making the restriction requirement final and issuing an action on the merits was not improper.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

| | |
|--|--|
| /ANGELA BERTAGNA/ Examiner, Art Unit 1637 | |
|--|--|